

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:11-CV-611-F

This matter is before the court on the unopposed Motion to Dismiss [DE-12] filed by Defendant John Hess. For the reasons stated in the Memorandum in Support thereof, which this court ADOPTS and INCORPORATES herein, the Motion to Dismiss [DE-12] is ALLOWED, and Plaintiff's claims against Defendant John Hess are DISMISSED pursuant to Rule 12(b)(6) for failure to state a claim.

The Clerk of Court is DIRECTED to continue the management of this case.

SO ORDERED.

This the 11th day of May.

James C. Fox
James C. Fox
Senior United States District Judge